

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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BENJAMIN CAREATHERS, : 1:13-CV-0369 (KPF)
individually, and on behalf of all others :
similarly situated, : ECF Case
: Plaintiff, : Electronically Filed
: :
- against - :
: :
RED BULL NORTH AMERICA, INC., :
a California corporation, :
: :
Defendant. :
----- :
DAVID WOLF and MIGUEL ALMARAZ, : 1:13-cv-08008 (KPF)
individually and on behalf of others :
similarly situated, :
: :
Plaintiffs, : **PLAINTIFFS' NOTICE OF MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**
v. :
: :
RED BULL GMBH, a foreign company; :
RED BULL NORTH AMERICA, INC., a :
California corporation; and RED BULL :
DISTRIBUTION COMPANY, INC., a :
Delaware corporation, :
: :
Defendants. :
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Attorneys for Plaintiff Benjamin Careathers

Named Plaintiffs Benjamin Careathers, David Wolf, and Miguel Almaraz, the Class representatives, hereby give notice of moving the Court for entry of an Order of Final Settlement Approval pursuant to Federal Rule of Civil Procedure 23(e). The motion shall be called up for hearing on May 1, 2015 at 10:00 am before this Court and the Honorable Katherine Polk Failla, Courtroom 618, 40 Foley Square, New York, New York 10007.

In support of this motion, Plaintiffs rely upon: (a) the record herein; (b) the Stipulation of Settlement and Exhibits thereto; and (c) the accompanying Memorandum of Law in Support of the Motion for Final Approval of Class Action Settlement.

WHEREFORE, for the reasons stated in the instant Motion and accompanying Memorandum of Law in Support, Plaintiffs respectfully request that the Court enter their [Proposed] Order and Final Judgment attached as Exhibit G to the Joint Declaration of Benedict P. Morelli and Laurence D. King in Support of: 1) Plaintiffs' Motion for Final Approval of Class Action Settlement; and 2) Plaintiffs' Motion for Approval of Attorneys' Fees, Service Fees, and Reimbursement of Expenses.

Respectfully submitted this 8th day of April, 2015.

Respectfully submitted,

Dated: San Francisco, CA
April 8, 2015

KAPLAN FOX & KILSHEIMER LLP
By: /s/ Laurence D. King
Laurence D. King

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CERTIFICATE OF SERVICE

The undersigned, an attorney admitted to practice law before this Court, hereby certifies under penalty of perjury that on April 8, 2015, I caused to be served a true and correct copy of the foregoing PLAINTIFFS' NOTICE OF MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT, by electronic filing with the Clerk of the Court using the CM/ECF System, which will send a Notice of Electronic Filing to all parties with an e-mail address of record, who have appeared and consent to electronic service in this action, and by U.S. Mail on the following, addressed as indicated below:

Benedict P. Morelli
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950 Third Avenue
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I am readily familiar with my firm's practice of collection and processing correspondence for mailing and that practice is that the documents are enclosed in sealed envelopes, with postage prepaid thereon, and deposited with the U.S. Postal Service on that same date as this Certificate of Service.

/s/ Laurence D. King
Laurence D. King